IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Shell Simpson, *et al.*)	Confirmation No.: 6072
)	
Serial No.: 10/053,174)	Group Art Unit: 2622
)	
Filed: November 13, 2001)	Examiner: Garcia, Gabriel I.
)	
For: Methods and Systems)	Atty. Docket No.: 10008135-1
for Making Booklets)	

REPLY BRIEF RESPONSIVE TO EXAMINER'S ANSWER

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Examiner's Answer mailed February 5, 2008 has been carefully considered. In response thereto, please consider the following remarks.

AUTHORIZATION TO DEBIT ACCOUNT

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 08-2025.

REMARKS

The Examiner has provided in the Examiner's Answer various responses to arguments contained in Applicants' Appeal Brief. Although the Examiner's Answer has added some additional remarks in response to Applicants' arguments, the substance of the rejections and the Examiner's positions have not changed. Accordingly, Applicants stand behind the arguments set forth in the Appeal Brief. In addition, Applicants address selected responses in the following.

The Examiner states that FIG. 4 of *Tonkin* helps disclose "prior to receiving said imaging data, causing, via at least one network service, a user interface to be presented on a client device, the user interface being configured to enable a user to select imaging data for use in making a booklet, and wherein said receiving imaging data comprises receiving user selection of said imaging data," as recited in claim 1. In the Examiner's Answer, the Examiner states "Fig. 4, depicts how the code which contains the user interface or software that will allow the user to interact which clearly is shown that it is send or receive before the user(s) can submit a request." Page 12. In response, Applicants note that *Tonkin* provides that the request is a request from a user, such as that shown in step 214 of Figure 3. *See* page 5, lines 19-20. Further, in reviewing Figure 3, Applicants note that a document is inputted in step 201 and displayed as a preview in step 202 which are before step 214. As a result, the foundation and basis for the Examiner's rejection is improper.

The Examiner also states that "Tonkin teaches designate a network accessible printer (see fig. 5, item 302, which depicts the different network printer within kinko's

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(such as Lexmark 1650, which clearly is not a virtual printer, clearly the Kinko facility represent a network within the store that a[l]lows user(s) to select the desire printer)." *See* pages 12-13 (Emphasis removed). Applicants respectfully disagree. *Tonkin* discloses that dialogue box 300 may be opened having a drop-down list of available printers. One of the items in the list "is a virtual printer 306 according to the present invention. Clicking on virtual printer 306 selects that printer." The other printers in the list correspond to attached virtual printers in a local network. Accordingly, Applicants respectfully submit that the Lexmark 1650 is not a network printer that is disclosed for printing a production document. As a result, the foundation and basis for the Examiner's rejection is improper.
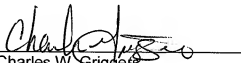
Therefore, the cited art fails to teach or suggest at least "prior to receiving said imaging data, causing, via at least one network service, a user interface to be presented on a client device, the user interface being configured to enable a user to select imaging data for use in making a booklet, and wherein said receiving imaging data comprises receiving user selection of said imaging data" and "printing the booklet on a network-accessible printer designated by user input," as recited in claim 1.

Using similar reasoning, the cited art does not teach or suggest the subject matter of remaining claims 2-8 and 10-28. For the reasons presented herein and the reasons earlier presented in the Appeal Brief, the cited references are deficient in disclosing claimed features, and the arguments set forth in the Appeal Brief still stand. The rejection of the pending claims should be withdrawn.

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Conclusion

In summary, it is Applicants' position that Applicants' claims are patentable over the applied cited art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicants' pending claims.

Respectfully submitted,

By: _____

Charles W. Griggers
Registration No. 47,283